

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

STEVEN ROBINSON on behalf of
himself and all others
similarly situated,

Plaintiff,

v.

HORNELL BREWING CO., et al.,
Defendants.

Civil No. 11-2183 (JBS-JS)

ORDER

This matter coming before the Court on Plaintiff Robinson's motion to dismiss for lack of subject matter jurisdiction [Docket Item 79] and Defendants' cross-motion for partial summary judgment [Docket Item 85]; the Court having considered the arguments of the parties in favor of and opposing the motions; for the reasons stated in the Opinion of today's date; and for good cause shown;

IT IS this 12th day of December, 2012 hereby

ORDERED that Plaintiff's motion to dismiss the complaint without prejudice is GRANTED; and it is further

ORDERED that Defendants' cross-motion for partial summary judgment is DENIED.

s/ Jerome B. Simandle

JEROME B. SIMANDLE
Chief U.S. District Judge